

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT WILLIAM MAWSON, SR., :

Plaintiff : CIVIL ACTION NO. 3:13-1714

v. : (JUDGE MANNION)

**THE PITTSTON POLICE :
DEPARTMENT, *et al.*,**

Defendants :

ORDER

In accordance with the accompanying memorandum, **IT IS HEREBY
ORDERED THAT:**

- (1)** Judge Schwab's Report and Recommendation, (Doc. [90](#)),
is **ADOPTED IN PART and NOT ADOPTED IN PART**;
- (2)** The defendant's motion for summary judgment, (Doc. [69](#)),
is **GRANTED IN PART** insofar as the defendant is entitled
to qualified immunity for initiating a *Terry* stop;
- (3)** The defendant's motion for summary judgment, (Doc. [69](#)),
is **DENIED IN PART** insofar as the defendant is not entitled
to qualified immunity for the scope and duration of the *Terry*
stop; and

- (4) The court will issue a separate scheduling order setting forth the Final Pretrial Conference and Trial dates.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Date: November 18, 2015

O:\Mannion\shared\MEMORANDA - DJ\CIVIL MEMORANDA\2013 MEMORANDA\13-1714-02-ORDER.wpd